

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARK WORTH	:	CIVIL ACTION
	:	
v.	:	NO. 16-3877
	:	
STEPHEN WORTH, <i>et al.</i>	:	

**ORDER**

**AND NOW**, this 29<sup>th</sup> day of November 2016, upon consideration of Defendants' Motion to compel arbitration (ECF Doc. No. 20), Plaintiff's Opposition (ECF Doc. No. 22), Defendants' Reply (ECF Doc. No. 33), Plaintiff's Motion to disqualify counsel (ECF Doc. No. 16), Defendants' Opposition (ECF Doc. No. 21) and Plaintiff's Reply (ECF Doc. No. 34), following oral argument and for reasons in the accompanying Memorandum, it is **ORDERED**:

1. Defendants' Motion to compel arbitration (ECF Doc. No. 20) is **DENIED**;
2. Plaintiff's Motion to disqualify counsel (ECF Doc. No. 16) is **DENIED**;
3. By agreement, we dismiss: Plaintiff's individual RICO claims in Counts I and II; Plaintiff's individual fiduciary duty claim (Count III); Plaintiff's derivative claims against fiduciaries as employees (Count IV, ¶197); Plaintiff's common law fraud (Count VI), unjust enrichment (Count VIII) and conversion (Count XI) claims as encompassed in the derivative breach of fiduciary duty claim; Plaintiff's request for inspection (Count XII) as encompassed in his minority oppression claim; and identity theft allegations; and,
4. Defendants shall file an Answer no later than **December 13, 2016**.

  
KEARNEY, J.